

of the United States for the district aforesaid a libel praying seizure and condemnation of seven dozen bottles of Cocil-Cod at San Juan, P. R., alleging that the article was in possession of Serra, Garabis & Co. (Inc.), San Juan, P. R., and was being sold and offered for sale in Porto Rico, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of extracts of plant drugs including eucalyptus, a small proportion of menthol, a trace of chloroform, alcohol (7.7 per cent by volume), sugar, and water. It contained no cod-liver oil nor cod-liver-oil extract.

It was alleged in the libel that the article was misbranded in that the name "Cocil-Cod," appearing on the carton and bottle label, and the statement on the carton, "Extract of Cod Liver," were false and misleading, since they gave the impression that the article contained the therapeutic principles of cod-liver oil. Misbranding was alleged for the further reason that the following statements on the labeling, regarding the curative or therapeutic effects of the article, were false and fraudulent; since the said article contained no ingredient or combination of ingredients capable of producing the effects claimed: (Bottle, translation from Spanish) "For treating cough * * * and la grippe;" (carton, translation from Spanish) "It strengthens the patient's resistance, meanwhile its expectorant action loosens and stops the cough or the catarrh. It is recommended for obstinate cough and catarrh. For tenacious catarrh. * * * Catarrh, Cough, Influenza, and La Grippe."

On June 4, 1931, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

18683. Adulteration and misbranding of ether. U. S. v. Eleven 1-Pound Cans of Ether. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 25855. I. S. No. 26273. S. No. 4099.)

Samples of ether from the shipment herein described having been found to contain peroxide, a decomposition product, the Secretary of Agriculture reported the matter to the United States attorney for the Southern District of Texas.

On February 4, 1931, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of eleven 1-pound cans of ether, remaining in the original unbroken packages at Houston, Tex., alleging that the article had been shipped by the Mallinckrodt Chemical Works, from St. Louis, Mo., on or about December 3, 1930, and had been transported from the State of Missouri into the State of Texas, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "Ether U. S. P."

It was alleged in the libel that the article was adulterated in that it was sold under a name recognized in the United States Pharmacopoeia, and differed from the standard of strength, quality, and purity as determined by tests laid down in the said pharmacopoeia.

Misbranding was alleged for the reason that the statement on the label of the containers of the article, "Ether U. S. P.," was false and misleading, since the said article contained peroxide.

On July 30, 1931, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

18684. Misbranding of Jones' Liniment. U. S. v. 1 2-3 Dozen Large-Sized Bottles, et al., of Jones' Liniment. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 26341. I. S. No. 30501. S. No. 4635.)

Examination of the drug product Jones' liniment having shown that the carton and bottle labels and the accompanying circular contained statements representing that the article possessed curative and therapeutic properties which it did not possess, the Secretary of Agriculture reported to the United States attorney for the District of Massachusetts the interstate shipment herein described, involving a quantity of the product located at Boston, Mass.

On May 8, 1931, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 1½ dozen large-sized bottles and 1½ dozen small-sized bottles of the said Jones' liniment, remaining in the original unbroken packages at Boston, Mass.,

alleging that the article had been shipped by M. Spiegel & Sons (Inc.), from Albany, N. Y., on or about March 23, 1931, and had been transported from the State of New York into the State of Massachusetts, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of petroleum distillate such as gasoline, methyl salicylate, pine-tar oil, camphor oil, and capsicum oleoresin.

It was alleged in the libel that the article was misbranded in that the following statements appearing in the labeling, regarding the curative or therapeutic effects of the said article, were false and fraudulent, since it contained no ingredient or combination of ingredients capable of producing the effects claimed: (Carton) "For Rheumatic Pains, Neuralgia, Sore Throat and Quinsy, Headache (Nervous) * * * Backache * * * Lameness, Chilblains * * *. It is good for Rheumatism, Lumbago, Neuralgia, Colic and Cramps, Headache, Earache, Cold in the Chest and Lungs, * * * Gout, Sore Throat, * * * Aching Feet, Inflammation * * *. A pain killer that will relieve these afflictions is an absolute necessity to everybody. It is the best safeguard against suffering from Accidents * * *. If after using it a few times the pains are still lingering, apply to the affected part a cloth wrung out in hot water and afterwards the Liniment is applied until relief is experienced;" (bottle label) "For * * * Rheumatism, Neuralgia, Headache, Backache * * * Lameness, Bunions, Chilblains, Colic and all Bodily Pains. * * * This Liniment is used for strengthening weak back or limbs, and healing bodily pains and inflammations. * * * In protracted pain a cloth moistened with the Liniment may be applied until relief is experienced;" (circular) "For Rheumatic and other pains in the joints, lower limbs or hips, apply Jones' Liniment * * *. Apply a cloth saturated with the Liniment to reduce inflammation and swelling. * * * For Backache, pains in the sides, shoulders, stiff neck and joints, apply the Liniment * * *. For Neuralgia in the head, keep the temples bound up with a linen cloth saturated with Jones' Liniment, and apply it to the back of the neck and ears. * * *. For Nervous Headache, apply Jones' Liniment to the forehead, back of the neck behind the ears, and inhale the fumes. For Sciatica, * * *. For Sore Throat and Quinsy * * *. For Earache, * * *. For * * * Swellings * * *. For Pains in Chest and Lungs * * *. For Bunions * * *. For Corns * * *. For * * * Weak Joints and Ankles, * * *. For Colic, Cramps, Cholera Morbus and other internal pains * * * swellings, cracked heels * * * scratches, cramps or contraction of the muscles, sore throat, colic, distemper, epizootic * * * and other diseases that can be reached by external application * * *. For the Flu, Cough * * *. Bronchitis * * * will * * * relieve * * * catarrhal conditions."

On June 15, 1931, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

18685. Misbranding of Jones' Liniment. U. S. v. 11 Dozen and Five Bottles, et al., of Jones' Liniment. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 26334. I. S. Nos. 16066, 16067, S. No. 4636.)

Examination of the drug product Jones' liniment from the shipments herein described having shown that the labels represented that the article possessed curative and therapeutic properties which it did not possess, the Secretary of Agriculture reported the matter to the United States attorney for the District of Maryland.

On May 6, 1931, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 11 dozen and 5 bottles, small size, and 8½ dozen bottles, large size, of Jones' liniment, remaining in the original unbroken packages at Baltimore, Md., alleging that the article had been shipped by the M. Spiegel Medicine Co., from Albany, N. Y., in part on or about August 16, 1930, and in part on or about November 15, 1930, and had been transported from the State of New York into the State of Maryland, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of petroleum distillate such as gasoline, methyl salicylate, pine-tar oil, camphor oil, and capsicum oleoresin.